

III. Remarks

Responsive to the outstanding Examiner's Action, the applicant has carefully studied the Examiner's comments. Favorable reconsideration of this application is respectfully requested in light of the claim amendments above and the following detailed discussion.

Claims 1-19 are pending in the application. Claims 1-19 are rejected. Claims 5, 6, 10, 11, and 17-19 are requested to be canceled. Claims 1, 7, 8, 12, 14 and 15 have been amended. A listing of the pending claims, along with a status indicator of each claim, appears above.

Six new drawing sheets are included herewith having Figs. 1-5 thereon. The new drawing sheets have typed reference numbers. The new drawing sheets contain no new matter. It is respectfully requested that the enclosed six drawing sheet replace the originally filed six drawing sheets currently on file and that the originally filed drawing sheets be cancelled

Claims 1-4, 7-9, and 12-16 were rejected in the Office Action under 35 USC 103(a) as being unpatentable over Gee et al in view of either Hicks '378 or Chapter 1 of "Air Brake Basics." Additionally, the Examiner indicated the requirement of claims 2-4, 8, 9, and 13-16 are met by the above combination of references.

Independent claims 1, 7, and 12 have been amended to further require that the second axle is part of a tandem axle system with the first axle. Independent claims 1, 7, and 12 have also been amended to require that the friction devices are service friction devices. Additionally, claims 1, 7, and 12 have been amended to require a second control valve, where the second control valve is separate from the first control valve and downstream from a reservoir and the first control valve, respectively, so that the first control valve is in direct fluid communication with the second control valve, wherein the second control valve provides less fluid pressure to

the second brake actuation chamber than fluid pressure provided to the first brake actuating chamber by the first control valve.

The cited references, individually or in combination, do not make obvious the invention claimed in amended claims 1, 7 or 12. Specifically, Gee et al, Hicks '378 or Chapter 1 of Air Brake Basics are completely silent regarding a second control valve that is separate from the first control valve and downstream from a reservoir and the first control valve. Further, the references cited are silent regarding the second control valve providing less fluid pressure to the second brake actuating chamber than fluid pressure provided to the first brake actuating chamber by the first control valve.

In light of the above discussion, claims 1, 7 and 12 of the present invention are patentable. Furthermore, claims 2-4, 8-9 and 13-16 each depend on claims 1, 7 and 12, respectively, either directly or indirectly, and contain all of the limitations thereof. Therefore, because claims 1, 7 and 12 are patentable and claims 2-4, 8-9 and 13-16 depend on claims 1, 7 and 12, respectively, claims 2-4, 8-9 and 13-16 are patentable over the cited references.

The Examiner also rejected claims 5, 6, 10, 11 and 17-19 under 35 USC 103(a) as being unpatentable over Gee et al and further in view of Bueler or Plantan. Claims 5, 6, 10, 11 and 17-19 have been cancelled.

In light of the remarks above, it is believed the claims are now in condition for allowance and an early Notice of Allowance is respectfully requested.

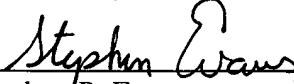
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Should the Examiner wish to modify any of the language of the claims, applicant's attorney suggests a telephone interview in order to expedite the prosecution of the application.

Respectfully submitted,



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